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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/768,542

01/30/2004

Dinesh K. Jindal

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10/02/2008

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EXAMINER

CHO, HONG SOL

ART UNIT

PAPER NUMBER

2619

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/768,542	<b>Applicant(s)</b> JINDAL, DINESH K.	
	<b>Examiner</b> HONG CHO	<b>Art Unit</b> 2619	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,4-6,8-10,13-15,17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-6,8-10,13-15,17 and 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This office action is in response to the amendment filed on 8/20/08. Claims 2, 3, 7, 11, 12 and 16 were canceled. Claims 1, 4-6, 8-10, 13-15, 17 and 18 are pending in the instant application.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4-6, 8-10, 13-15, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis (US 6718015) in view of Park et al (US 20030039241), hereinafter referred to as Park, and further in view of Gavish et al (US 20040047342), hereinafter referred to as Gavish.

Re claims 1 and 10, Berstis discloses providing a telephone network device with Internet access via a telephone server and telephone network (*providing real-time Internet access to a caller having only a standard telephone and plain old telephone*

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*service*, column 3, lines 49-55). Berstis discloses a user entering a keyword representing a uniform resource locator (URL) (*receiving a destination number representing a request for Internet access from the caller*, column 4, lines 35-37), relaying a call to a telephone server for an Internet access (*routing a call to an Internet server for providing the Internet access*, column 4, lines 60-61), translating information identifying URL into the URL (*converting the destination number to a URL at the Internet server*, column 4, lines 58-60), providing status, web page and other information to the caller (*receiving a response including digital information from the Internet at the Internet server*, column 4, lines 60-64) and web page being read to the caller if the reading option is selected at prompt (*converting the digital information in the response to a voice message, the voice message including information from the Web site and prompts for the caller and routing the voice message to the caller*, column 5, lines 26-37). Berstis fails to disclose receiving at a local switch a destination number including a feature activation code, a series of numbers representing a URL for a Web, and a code to signal the end of the URL.

Park discloses receiving a destination number including a feature activation code (a processing code, paragraph [0083], line 11), a series of numbers representing a URL for a Web (paragraph [0083], line 12), and a code to signal the end of the URL (“+” representing end of URL identifier; paragraph [0083], lines 15-16). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Berstis with the teaching of Park for the benefit of providing both traditional circuit-switched telephony service and multimedia packet-switched sessions. Berstis and park fail to disclose releasing the call when the local switch recognizes that a

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special code has been entered by the caller. Gavish discloses terminating a call when a user selects the fax option by pressing 2 (paragraph [0098], lines 15-17). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Berstis with the teaching of Gavish for the benefit of saving signaling bandwidth of circuit-switched network.

Re claims 4, 6, 8, 13, 15 and 17, Berstis discloses a telephone server including a processor, DTMF tone detector, and a text-to-speech processor (*Internet server includes a data processor for processing information, tone detection circuitry for recognizing dialed multi-frequency tone signals, a text-to-speech system for generating voice messages and announcements to be played to the caller*, (column 4, lines 4-12) and data memory for formulating queries and responses to the caller (column 4, lines 53-56).

Re claims 5, 9, 14 and 18, Berstis discloses relaying a call to a telephone server for an Internet access (column 4, lines 60-61), but fails to disclose a local switch including a URL interceptor for routing the call to the Internet server. Park discloses the URL identifier recognizing destination telephone number URL (paragraph [0083], lines 12-17). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Berstis with the teaching of Park for the benefit of providing both traditional circuit-switched telephony service and multimedia packet-switched sessions.

### ***Response to Arguments***

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4. Applicant's arguments filed on 8/20/2008 have been fully considered but they are not persuasive.

The applicant argues that there is no mention of a special code to signal the end of the URL by Berstis and a destination number including a feature activation code and a code to signal the end of the URL by Park and a caller entering a special code to signal the end of the call by Gavish. First of all, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Second, Park discloses receiving a destination number including a feature activation code (a processing code, paragraph [0083], line 11), a series of numbers representing a URL for a Web (paragraph [0083], line 12), and a code to signal the end of the URL (“+” representing end of URL identifier; paragraph [0083], lines 15-16). Gavish discloses terminating a call when a user selects the fax option by pressing 2 (paragraph [0098], lines 15-17). In this case, it is the combined teaching of the references that shows all the limitations of the claim. The examiner relied on Park and Gavish to show obviousness of a destination number including a feature activation code and a code to signal the end of the URL by Park and a caller entering a special code to signal the end of the call by Gavish.

Therefore, the Examiner concludes that the rejection of claims stands.

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 571-272-3087.

The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 571-272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Hong Cho/

Hong Cho  
Examiner, Art Unit 2619

9/26/2008